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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 JIAN HU,

Case No. 2:25-cv-00320-MMD-NJK

7 Plaintiff,

ORDER

8 v.

9 ARIA RESORT & CASINO LLC, *et al.*,

10 Defendants.
11

12 In February 2025, *pro se* Plaintiff Jian Hu, a former “poker dealer at the Aria Resort
13 & Casino,” initiated this action against Defendants Aria Resort & Casino LLC and MGM
14 Resorts International. (ECF No. 6 at 2, 3.) On May 16, 2025, Defendants filed their
15 renewed motion to dismiss (ECF No. 50) which is now fully briefed. That motion is on a
16 lengthy lists of motions and issues in other cases that this Court will need to address, and
17 the Court generally addresses motions and issues in the order in which they are filed. On
18 June 2, 2025, United States Magistrate Judge Nancy J. Koppe granted Defendants’
19 motion to stay discovery, imposing a temporary stay of discovery until the Court resolves
20 the motion to dismiss, assuming that the resolution does not result in termination of this
21 case. (ECF No. 69 (“Stay Order”).) Since then, in the span of about five weeks, Plaintiff
22 has filed six motions¹ (ECF Nos. 71, 75, 76, 83, 84, 93), necessitating the Court to
23 intervene to lessen the burdens on the Court and the parties. This order addresses these
24 pending motions.

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26 ¹The docket reflects two other motions that Plaintiff filed since Judge Koppe’s Stay
27 Order. Plaintiff filed a motion for leave to file a sur-reply in connection with Defendants’
28 motion to stay discovery (ECF No. 72). The Court denies that motion as moot by the
issuance of the Stay Order. Plaintiff also filed a motion to file a sur-reply in connection
with Defendants’ motion to dismiss (ECF NO. 74) which the Court will address along with
the motion to dismiss.

1 The Court will begin with Plaintiff's motion for reconsideration of Judge Koppe's
2 Stay Order granting a temporary stay of discovery pending resolution of the motion to
3 dismiss. (ECF No. 75.) Magistrate judges are authorized to resolve pretrial matters
4 subject to district court review under a "clearly erroneous or contrary to law" standard. 28
5 U.S.C. § 636(b)(1)(A); see *also* Fed. R. Civ. P. 72(a); LR IB 3-1(a) ("A district judge may
6 reconsider any pretrial matter referred to a magistrate judge in a civil or criminal case
7 pursuant to LR IB 1-3, where it has been shown that the magistrate judge's ruling is clearly
8 erroneous or contrary to law."). Plaintiff offers numerous reasons, including allegations
9 that Defendants made false statements in their motion to dismiss, failed to disclose videos
10 and records in their initial disclosures, and may alter or destroy evidence if discovery is
11 stayed. (ECF No. 75 at 2-5.) As Plaintiff indicated, she offered evidence in response to
12 the motion to dismiss to show Defendants made false statements in connection with their
13 motion. The latter two arguments relate to discovery issues which may be resolved
14 through the normal discovery process after the stay of discovery is lifted assuming the
15 case is not dismissed. Plaintiff has failed to show that Judge Koppe clearly erred in
16 imposing a stay of discovery. Finally, contrary to Plaintiff's contention, the Court finds
17 Judge Koppe did not clearly err in determining discovery should be stayed under the three-
18 factor test articulated in *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev.
19 2013). For these reasons, the Court denies Plaintiff's motion for reconsideration (ECF No.
20 75).

21 As Judge Koppe ordered, discovery is stayed pending the Court's resolution of
22 the pending motion to dismiss. (ECF No. 69.) Accordingly, Plaintiff's assertions of
23 Defendants' alleged discovery related conduct raised in the remaining pending motions
24 (ECF Nos. 71, 76, 83, 84, 93) are denied as moot. Because the Court has not resolved
25 these motions on the merits, Plaintiff may raise these discovery related issues after the
26 stay is lifted assuming the case is not dismissed.

27 In light of Plaintiff's pattern of filings in this case, the Court will extend the stay of
28 discovery to a stay of all filings to conserve judicial resources. This means the parties

1 cannot file any other motions until the Court resolves the pending motion to dismiss (ECF
2 No. 50) and the related motion to file a sur-reply (ECF No. 74).

3 In sum, the Court denies Plaintiff's motion for reconsideration (ECF No. 75) for the
4 reasons discussed here. Relatedly, the Court denies discovery related motions (ECF Nos.
5 71, 76, 83, 84, 93) as moot. Separately, the Court denies Plaintiff's motion to file a sur-
6 reply (ECF No. 72) as moot by Judge Koppe's Stay Order.

7 To be clear, discovery continues to be stayed pending the Court's ruling on the
8 motion to dismiss. The Court additionally stays all filings pending resolution of the motion
9 to dismiss.

10 DATED THIS 15th Day of July 2025.

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13 MIRANDA M. DU
14 UNITED STATES DISTRICT JUDGE
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